S.B. CIVIL WRIT PETITION NO.3170/2005

Gyan Vidhi Mahavidyalaya.
vs.
State of Rajasthan and another.

Date : 21.10.2005

HON'BLE MR. PRAKASH TATIA, J.

Mr. Manoj Bhandari, for the petitioner.

Mrs. RR Kanwar, Dy.GA, for the respondents.

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Heard learned counsel for the parties.

The present writ petition has been filed by the petitioner when the petitioner received a communication dated 21.5.2005, copy of which is placed on record as Annex.10 by which, the State Government directed the petitioner to submit affiliation certificate from the Bar Council of India (BCI). By this communication, it was conveyed to the petitioner that in case, no objection certificate from BCI will not be submitted within a period of three days, affiliation will be cancelled.

According to learned counsel for the petitioner, the BCI inspected the petitioner's college and suggested for improvements which the petitioner has complied with. On 3.8.2005, the BCI gave no objection and approval for affiliation. Copy of this letter of BCI is placed on record as Annex.12. According to learned counsel for the petitioner, the said certificate has been submitted by the

petitioner to the State Government on 9.8.2005 but in view of the fact that the time of only three days was given to the petitioner for submitting certificate, therefore, the State Government may cancel the NOC as the BCI has given approval on 3.8.2005.

Since now the BCI has given approval for no objection certificate, therefore, now the State Government may decide the matter without treating the certificate to be filed after the period given in Annexure-10. It is made clear that this Court has not decided any issue in favour of the petitioner so far as the petitioner's entitlement for getting no objection certificate or for continuation of no objection certificate is concerned. No objection certificate should be strictly adhered and for that purpose, the State Government should keep in mind directions issued by the Division Bench in the case of Ramji Lal Meena.

With the aforesaid observations and directions, this writ petition is disposed of.

(PRAKASH TATIA), J.

S.Phophaliya